

July 22, 2008
Billy Carter
2100 Napa Vallejo Hwy.
Napa, CA 94558

Office of the Clerk
U.S. Ninth Circuit Court of Appeals
95 Seventh Street
P.O. Box 193939
San Francisco, California 94119-3939

RE: Complaint--District Court Judge Sandra Brown Armstrong
CV 08 2795 SBA (PR)

Addendum to Complaint
Title 28 U.S.C. § 351-364

NC
I recently mailed a complaint to the United States Ninth Circuit Court of Appeals regarding the Honorable Sandra Brown Armstrong, United States District Court Judge and regarding a District Court Clerk concerning Civil Case Number CV 08 2795 SBA (PR), and I seek to promote judicial efficiency, judicial economy, to vindicate my rights, and to comply with Federal Rules of Civil Procedure, Rule 4(a) and 4(b). This matter began when I mailed a Title 42 U.S.C. § 1983 Civil Rights lawsuit to the District Court alleging conditions of confinement at my place of confinement at the Napa State (mental) "Hospital" violate my constitutional rights and violate my rights under the Americans with Disabilities Act (ADA). I motioned the District Court to forthwith issue and serve process in accordance with Federal Rules of Civil Procedure, Rule 4(a) and 4(b), and I motioned the Court to permit me to pay the \$350.00 filing fee in \$25.00 monthly payments because I cannot afford to pay the fee all at once. I had my sister send the District Court a check for \$25.00 as a first payment on the filing fee, but the District Court Clerk denied my request and returned the check.¹

In any case, the District Court apparently did not hear my motions and after I mailed the said 28 U.S.C. § 351-364 complaint to the Ninth Circuit Court of Appeals regarding Judge Armstrong, I received an order from Judge Armstrong's Court dated July 17, 2008, mandating me to pay the \$350.00 filing fee or submit an in forma pauperis application within 30 days of the order or the District Court will dismiss my lawsuit. I do not want a free ride and I do not want to send the Court payments to pay the filing fee from the trust account I have at the institution. In fact, I am suing defendants at the institution, the institution is not my friend, I do not like the institution, I do not want the institution involved in my personal, financial, and legal affairs, and I do not want the institution involved in anything to do with this lawsuit except to be defendants.

The Citizens Commission on Human Rights (CCHR)² educated me that there is not any true or legitimate scientific basis to the pseudo scientific industries of psychiatry and psychology,

¹ The District Court's order of July 17, 2008, claims at p. 1, that "Plaintiff's address has changed since the Clerk sent the notice," but this is not accurate and the Court apparently formed this inaccurate impression from my sister's return address on the envelope within which she enclosed the \$25.00 check she sent to the Court as partial payment for me.

² The Citizens Commission on Human Rights (CCHR) International was established in 1969 by the Church of Scientology to investigate and expose psychiatric violations of human rights, and to clean up the field of mental healing. Today, it is estimated that CCHR has more than 250 chapters in over 31 countries. Its board of advisors, called Commissioners, includes doctors, lawyers, educators, artists, business professionals, and civil and human rights representatives. CCHR has inspired and caused many hundreds of reforms by testifying before legislative hearings and conducting public hearings into psychiatric abuse, as well as working with media, law enforcement, and public officials the world over. (CCHR: www.cchr.org • www.psychdrugsdangers.com • e-mail: humanrights@cchr.org • www.psychcrime.org • <http://www.dodig.osd.mil/INV/DCIS>) (CCHR: Tele: (323) 467-4242 • (800) 869-2247 • (800) 942-2247 • see also Bill Sargent, Shasta County at (530) 472-3299 • e-mail-cchr@jett.net • e-mail-sarge@jett.net)

there are not any blood or other biological tests or scans that can legitimately ascertain the presence or absence of mental illness or a "chemical imbalance," and there is not any effective or legitimate cure for mental illness. (See CCHR www.cchr.org • www.psychdrugsdangers.com • e-mail: humanrights@cchr.org • www.psychcrime.org • <http://www.dodig.osd.mil/INV/DCIS> • Tele: (323) 467-4242 • (800) 869-2247 • (800) 942-2247 • Bill Sargent, Shasta County at (530) 472-3299 • e-mail-cchr@jett.net • e-mail-sarge@jett.net)

I do not believe in psychiatry and psychology and Dr. Thomas Szasz, professor of psychiatry emeritus and Co-Founder of CCHR observes, "There is no blood or other biological test to ascertain the presence or absence of a mental illness, as there is for most bodily diseases. If such a test were developed (for what, theretofore, had been considered a psychiatric illness), then the condition would cease to be a mental illness and would be classified, instead, as a symptom of a bodily disease." Bruce Levine, Ph.D., psychologist and author of *Commonsense Rebellion* concurs: "Remember that no biochemical, neurological, or genetic markers have been found for attention deficit disorder, oppositional defiant disorder, depression, schizophrenia, anxiety, compulsive alcohol and drug abuse, overeating, gambling, or any other so-called mental illness, disease, or disorder." (Bruce D. Levine, Ph.D., *Common Sense Rebellion: Debunking Psychiatry, Confronting Society* (Continuum, New York, 2001), p. 277.) *Psychiatry, Confronting Society* (Continuum, New York, 2001), p. 277.) In his book, *The Complete Guide to Psychiatric Drugs*, published in 2000, Edward Drummond, M.D., Associate Medical Director at Seacoast Mental Health Center in Portsmouth, New Hampshire, stated, "First, no biological etiology [cause] has been proven for any psychiatric disorder ... in spite of decades of research. ... So don't accept the myth that we can make an 'accurate diagnosis'. ... Neither should you believe that your problems are due solely to a 'chemical imbalance.'" (Edward Drummond, M.D., *The Complete Guide to Psychiatric Drugs* (John Wiley & Sons, Inc., New York, 2000), pp. 15-16.) "There are no tests available for assessing the chemical status of a living person's brain." (Elliot S. Valenstein, Ph.D., *Blaming the Brain* (The Free Press, New York, 1998), p. 4.), and Dr. Joseph Glenmullen of Harvard Medical School states, "In every instance where such an imbalance was thought to have been found, it was later proven false." (Joseph Glenmullen, M.D., *Prozac Backlash* (Simon & Schuster, New York, 2000), p. 196.)

Psychiatrist David Kaiser said, "...[M]odern psychiatry has yet to convincingly prove the genetic/biologic cause of any single mental illness. ... Patients [have] been diagnosed with 'chemical imbalances' despite the fact that no test exists to support such a claim, and ... there is no real conception of what a correct chemical balance would look like." (David Kaiser, M.D., "Commentary: Against Biologic Psychiatry," *Psychiatric Times*, Dec. 1996.)

While psychiatrists now also claim that brain scans can detect certain mental disorders, a May 2004 article in *The Mercury News*, says that many doctors warn that the use of such scans is "unethical" and "dangerous," quite apart from not being scientifically validated. "The \$2,500 (€2,040) evaluation offers no useful or accurate information." (Lisa M. Krieger, "Some Question Value of Brain Scan; Untested Tool Belongs in Lab Only, Experts Say," *The Mercury News*, 4 May 2004.) Claims or suggestions that today's brain imaging technology has proven that mental illness is caused by diseases or chemical imbalances in the brain are pure psychiatric fancy. Steven Hyman, director of the U.S. National Institute of Mental Health admits that use of such brain scans produce "pretty but inconsequential pictures of the brain." Quoted in the same article, psychiatrist M. Douglas Mar said, "There is no scientific basis for these claims [of using brain scans for psychiatric diagnosis]. At a minimum, patients should be told that SPECT is highly controversial." (*Ibid.*) "An accurate diagnosis based on a scan is simply not possible. I wish it were," stated Dr. Michael D. Devous from the Nuclear Medicine Center at the University of Texas Southwestern Medical Center. (*Ibid.*)

In 1994, psychiatrist Norman Sartorius (president of the World Psychiatric Association (1996-1999) declared at a meeting of a congress of the Association of European Psychiatrists, "the time when psychiatrists considered that they could cure the mentally ill is gone. In the future the mentally ill have to learn to live with their illness." (Lars Boegeskov, "Mentally Ill Have to Have Help—Not to be Cured," *Politiken* 19 Sept. 1994.) The following year, after more than \$6 billion (€4.9 billion) in taxpayer money had been poured into psychiatric research, psychiatrist Rex Cowdry (Director of the U.S. National Institute of Mental Health) agreed with the WPA Chief and stated "We do not know the causes [of mental illness]. We don't have the methods of 'curing' these illnesses yet." (Declaration of Psychiatrist Norman Sartorius (president of the World Psychiatric Association (1996-1999) before congress of the Association of European Psychiatrists, Lars Boegeskov, "Mentally Ill Have to Have Help—Not to be Cured," *Politiken* 19 Sept. 1994.) Testimony given by Dr. Rex William Cowdry, Acting Director of the National Institute of Mental Health before a Subcommittee of the Committee on Appropriations, House of Representatives, 104th Congress, First Session, "Part 4, National Institutes of Health," section on the National Institute of Mental Health, Washington, D.C., 22 Mar. 1995, p. 1205.)

The first Amendment to the U.S. Constitution and like provisions of the California Constitution prohibits the Federal and State governments from forcing any person to accept, adhere to, or financially support any ideology, religion, or any body of beliefs, including psychiatry and psychology. (See *Keller v. State Bar of California* (1990) 496 U.S. 1, 9-10; *Abood v. Detroit Board of Education* (1977), 431 U.S. 209, 234 & 235, fn. 31.) (See also *Miami Herald Publishing Co. v. Tornillo* (1974) 418 U.S. 241, 247-258] [state may not compel a newspaper to print a political candidate's reply to an editorial]; *Torcaso v. Watkins* (1961) 367 U.S. 488, 489-496] [state may not compel civil servants to affirm a belief in God]; *Board of Education v. Barnette* (1943) 319 U.S. 624, 630-642] [state may not compel students to salute the flag].) Courts have often stressed this principle by repeating Thomas Jefferson's view that "to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical." (*Brant, James Madison: The Nationalist* (1948) p. 354, as quoted in *Abood, supra*, 431 U.S. at p. 235, fn. 31]; see also *Keller, supra*, 431 U.S. at p. 10], and *Chicago Teachers Union v. Hudson* (1986) 475 U.S. 292, 305, fn. 15.)

I am not a free loader and I imagine the Courts hear from many incarcerated persons that want a free ride and do not want to pay the fee. I would think any District Court would be pleased with a pro se civil rights litigant wanting to make arrangements to pay the filing fee and not impose strict time limits and make things difficult for the litigant.

I respectfully put forth that I have a constitutional right to not have the institution involved or meddling in my personal, financial, or legal affairs as a prerequisite to filing a civil rights lawsuit or a lawsuit under the ADA, and the requirement that I involve the institution in my legal and financial affairs as a prerequisite to filing a lawsuit in federal court is unconstitutional.

I respectfully request the United States Ninth Circuit Court of Appeals to permit me to pay the filing fee in payments and direct the District Court to serve process in accordance with Rule 4(a) and 4(b) forthwith.

Respectfully submitted,

Billy Carter

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Mailed on 22-Jul-08

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